

Interview Summary

Application No.
09/461,308

Applicant(s)
Akimoto

Examiner
Frank Lu

Group Art Unit
1634

All participants (applicant, applicant's representative, PTO personnel):

(1) Frank Lu

(3) Mr. Drew Hissong (Reg. No., 44,765)

(2) Dr. Ethan Whisenant

(4) _____

Date of Interview Mar 27, 2002

Type: a) ☐ Telephonic b) ☐ Video Conference
c) ☒ Personal [copy is given to 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No. If yes, brief description:

Claim(s) discussed: _____

Identification of prior art discussed: _____

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Mr. Hissong indicated that the limitation "1) the length of the cDNA polynucleotide and 2) the relative frequency of the first labeling substance with each cDNA polynucleotide used in the method" did not raise the issue of new matter since the specification (page 14, first paragraph) did teach this limitation. Mr. Lu and Dr. Whisenant agreed to withdraw the rejection of the issue of new matter. Mr. Lu pointed out that any method step or method related limitation would be considered as an intended use since claims 25-36 were directed to an apparatus, not a method and suggested the applicant amended the claims by putting more structural limitations. Mr. Hissong agreed to consider the examiner's suggestion.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☐ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.